## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA,	)	
	Plaintiff,	8:16MJ343	
	vs.	DETENTION ORDER	
CA	ARLOS VIDAL-MIX,		
	Defendant.		
A.	Order For Detention After conducting a detention hearing purs Act on October 21, 2016, the Court or pursuant to 18 U.S.C. § 3142(e) and (i).	suant to 18 U.S.C. § 3142(f) of the Bail Reform ders the above-named defendant detained	
B.	The Court orders the defendant's detention because it finds:  X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required.  By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.		
C.	contained in the Pretrial Services Repor  X (1) Nature and circumstances of X (a) The crime: a conspirate violation of 21 U.S.C. years imprisonment as (b) The offense is a crime (c) The offense involves a	the offense charged: by to distribute methamphetamine (Count I) in \$ 846 carries a minimum sentence of ten and a maximum of life imprisonment. by of violence.	
	may affect wh The defendar X The defendar X The defendar X The defendar X The defendar ties. Past conduct The defendar The defendar The defendar The defendar The defendar The defendar Court proceed	nt appears to have a mental condition which nether the defendant will appear. In that no family ties in the area. In that no steady employment. In that no substantial financial resources. In that no substantial financial record.	

## **DETENTION ORDER - Page 2**

		Release pending trial, sentence, appeal or completion of sentence.
	(c) Other Fa	
	(c) Other i	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X	The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
		Other:
X		nd seriousness of the danger posed by the defendant's
	release are as	follows: The nature of the charges in the Indictment.
V	(5) Dobuttoble Dr	acumntians
<u>X</u>	(5) Rebuttable Pr	that the defendant should be detained, the Court also relied
		rebuttable presumption(s) contained in 18 U.S.C. § 3142(e)
	which the Cou	rt finds the defendant has not rebutted:
		condition or combination of conditions will reasonably
		he appearance of the defendant as required and the safety
		ther person and the community because the Court finds that
		e involves:
		(1) A crime of violence; or
	X	(2) An offense for which the maximum penalty is life
		imprisonment or death; or
	<u>X</u>	(3) A controlled substance violation which has a maximum
		penalty of 10 years or more; or
		(4) A felony after the defendant had been convicted of two
		or more prior offenses described in (1) through (3)
		above, <u>and</u> the defendant has a prior conviction for one
		of the crimes mentioned in (1) through (3) above which
		is less than five years old and which was committed
while the defendant was on pretrial release.		
X (b) That no condition or combination of conditions will reasonab		
		he appearance of the defendant as required and the safety
of the community because the Court finds that there is proba cause to believe:		
	X	(1) That the defendant has committed a controlled
		substance violation which has a maximum penalty of
		10 years or more.
		(2) That the defendant has committed an offense under 18
		U.S.C. § 924(c) (uses or carries a firearm during and in
		relation to any crime of violence, including a crime of
		violence, which provides for an enhanced punishment
		if committed by the use of a deadly or dangerous
		weapon or device).

## D. Additional Directives

- Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

  1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
  - The defendant be afforded reasonable opportunity for private consultation with counsel; and

## **DETENTION ORDER - Page 3**

3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 21, 2016.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge